UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

SANDRA PASANEN,

: CASE NO. 1:09-CV-2224

Plaintiff,

vs. : OPINION & ORDER

: [Resolving Doc. No. <u>20</u>]

COMMISSIONER OF SOCIAL SECURITY,

:

Defendant.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On September 25, 2009 Plaintiff Sandra Pasanen filed a complaint seeking judicial review under 28 U.S.C. § 405(g) of the Defendant Commissioner of Social Security's decision to deny her disability insurance benefits. The matter was referred to Magistrate Judge Vernelis K. Armstrong pursuant to Local Rule 72.2. On January 14, 2011 Magistrate Judge Armstrong issued a Report and Recommendation recommending that this Court affirm the Commissioner's decision. [Doc. 20.]

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. 28 <u>U.S.C. § 636(b)(1)(C)</u>. Parties must file any objections to a Report and Recommendation within fourteen days of service. <u>Id.</u>; <u>Fed. R. Civ. P. 72(b)(2)</u>. Failure to object within this time waives a party's right to appeal the district court's judgment. <u>Thomas v. Arn, 474 U.S. 140, 145 (1985)</u>; <u>United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981)</u>. Absent objection, a district court

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may adopt the magistrate judge's report without review. See Thomas, 474 U.S. at 149.

In this case, neither party has objected to the Magistrate Judge's recommendation. Moreover, having conducted its own review of the record and the parties' briefs, the Court agrees with the

recommendation of Magistrate Judge Armstrong that the Court affirm the Commissioner's decision.

Accordingly, the Court ADOPTS in whole Magistrate Judge Armstrong's Report and

Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Pasanen's

complaint.

IT IS SO ORDERED.

Dated: February 3, 2011

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUGE